A Juſt and Solemn 13

PROTESTATION

AND

REMONSTRANCE

OF THE

Lord Mayor, Aldermen, Sheriffs, Common-Councell-men, and other *Citizens* and *Freemen* of

LONDON.

AGAINST

Two late Ordinances of the *Lords* and *Commons* that now ſit; For the Chooſing of

COMMON-COUNCELL-MEN and other Officers within the City and Liberties thereof for the YEAR enſuing, in the generall;

And againſt ſome Clauſes in them in particular:

Which ORDINANCES bear date the 18, and 20 of *DECEMBER*, 1648.

Imprinted at *London*, 1648.

LINCOLN'S INN LIBRARY

A juſt and Solemn *Proteſtation* and *Remonſtrance*

OF THE

Lord Major, Aldermen, Sheriffs, Common-Councel-men, and other Citizens and Freemen of *London*, againſt two late Ordinances of the Lords and Commons that now ſit.

WE the *Lord Major, Aldermen, Sheriffs, Common-councel-men,* and other *Citizens* and *Freemen* of the City of *London*, who have exhauſted our eſtates, adventured our lives, loſt our blood, and for eight years ſpace together day and night upon all occaſions indefatigably contributed our *utmoſt labors, treaſures travails, counſels, prayers,* & *endevors* to maintain the *honor, freedom* and *ſafety* of both houſes of *Parliament*; & ſtood by them in their *greateſt ſtraits*, aſſiſting them with our *purſes* and *forces*, when few elſe would own or ſtand by them, and hazarded the loſs of all that is dear and precious to us for their defence, who elſe had been ſwallowed up and deſtroyed by *their Prelaticall, Popiſh, Malignant enemies* ſundry times ere this, and brought to utter deſolation; For all which *faithfull Services*, and *real teſtimonies* of our moſt *cordiall affections* towards them (which they have *frequently* and *gratefully* acknowledged both in the *Houſes* and *City* upon ſundry occaſions, and remonſtrated to the world in divers printed *Ordinances* and *Delarations*.) We did at leaſt expect a *free* and *full enjoyment*, if not a *confirmation* and *enlargement* of all *Our ancient Hereditary freedoms, priviledges, rights, Franchiſes* and *Cuſtoms* ever conſtantly enjoyed by us and our *Predeceſſors* from before the *Conqueſt*, till the laſt year, confirmed by *Magna Charta* it ſelf, *Chap.9.* which enacts, *That the City of London ſhall have all the old Liberties and Cuſtoms which it hath been u ed to have*; and entayled to us and our *Succeſſors* for ever, by many *ſucceſſive Charters* and *Acts of Parliament* of moſt of the noble

Kings of England, as well before as since; which neither *one* nor both *Houses* of *Parliament*, in their *fullest* and *freest condition*, have or can pretend to have any *just or lawfull power* to *repeal* or *diminish in the least degree*, without our *own consents or desires*, and the *Kings concurrence* thereunto by an *Act of Repeal*; much less whiles under the *actuall force* and *power* of *disobedient mutinous Army*, who have forcibly *imprisoned*, *excluded and driven away most of their Members*. But in stead thereof we finde (to our *deepest grief* and *astonishment*) a most *ingratefull*, and *dishonorable* requitall of all our former *faithfulness*, *love*, *bounty* and *services*, not by the *generality of the Members* of *both Houses* (whose favors and sincere affections towards us, in studying to preserve and enlarge our *Priviledges*, *Franchises* and *Charters* upon all occasions and *Treaties* with his *Majesty*, we shall ever gratefully acknowledg) but only of a *small inconsiderate party in the Houses*, wholly acted and swayed by a *Jesuitical* and *Anabaptistical* powerfull party in the *Army*, who have a long time made it their *principall study* and *Master-piece*, to rend and disengage the *City* and *Houses* from, and dash *them in pieces* one *against another*, and *divide them* into *factions and fractions* among themselves, whereby to *enslave* and *ruine* them both, and by their *slavery* and *ruines* to make way for their own *ambitious designs*, and *intended Greatness* and *Tyranny*, far more intolerable and grievous then any we or our *Ancestors* formerly sustained under the *worst* of all our *kings*; which they have no hopes to accomplish, whiles the *Houses* and *City* enjoy their *ancient Priviledges*, *Freedoms*, and continue *cordially united*: and therefore have at this present most *perfidiously* and trayterously endevored to *captivate* and *enslave*, not only the *King*, but *both Houses of Parliament*, and the *City* together; and in them the whole *Kingdom* and *English Nation*. For which end and purpose, having brought up the whole Army to *London* and *Westminster*, contrary to the Houses *Order*, and quartered many of them in and about the *City*, in the *principall places of strength* and *advantage*, beyond our expectation, and contrary to their own *Engagement* to us; seised upon our *Treasuries* and *Halls*; impri-

soned

ſoned one of our *Sheriffs*, though a *Member*, and carried him caprive out of our liberties; and by armed power and a *horrid force* upon *both Houſes*, moſt injuriouſly impriſoned, and *forceably kept* out, and *driven away* all or moſt of their *faithfull Members* admiting none to ſit, but only ſuch who are *confederate* with them in theſe their *Treaſonable deſigns*, and that under their force and impoſed *Guards* to over-awe them; They have on the 18 and 20 of *December* laſt, cauſed theſe their Confederates (who uſurp and take upon them the *Name* and *Authority* of the *two Houſes of Parliament*, when as in truth, they are and have been *neither*, and no *Houſes* at all ever ſince their being under ſuch a *viſible force*, and violent *reſtraint* and *ſecluſion* of the greateſt *Number* of their Members from thence by the *Officers* & *Armies* armed power, contrary to the *undoubted known Rights*, *Priviledges* and *freedom* of *Parliament*, which they, we, and the *whole kingdom* and *Army* are engaged by *Covenant* inviolably to preſerve) to make and publiſh two *Printed Papers*:

The firſt whereof they ſtyle,

An Ordinance of the Lords and Commons aſſembled in Parliament for the chooſing of Common Councel-men, and other officers within the City of London, and liberties thereof for the year enſuing, The ſecond, *an Ordinance of the Lords & Commons aſſembled in Parliament: concerning the Election of Common Councel-men, and other Officers in the City of London.* Wherein among other things they do Declare and Ordaine; *That no perſon whatſoever that hath been impriſoned or that did ſubſcribe or abet to the Treaſonable engagement* (as they tearm it) *in* 1647, *or that did aid, aſſiſt, or abet the late Tumult within the Cities of London and Weſtminſter, or the Counties of Kent, Eſſex, Middelſex, or Surrey ſhall be elected, choſen, or put into the Office and place of Lord Major, Alderman, Aldermans Deputy, Common Councel-men, or into any Office or place of truſt within the City for ſpace of one whole year, or be capable to give his voyce for the choſing any perſon to any the Offices aforeſaid. And it is thereby further Ordained by the Authority aforeſaid (though null and void) That if any perſon or perſons compre-*

comprehended under the aforesaid exceptions, being chosen, shall presume to sit in the court of Aldermen, Common-Councell, &c. or to execute any of the aforesaid Offices contrary to the true intent of this Ordinance, shall forfeit the sum of two hundred pounds, the one halfe whereof shall be within twenty dayes paid unto him or them that shall make proof thereof, and the other Moyety to be paid unto the Treasurers appointed by Parliament for the use and relief of the maimed Souldiers; And it is hereby declared; That all such elections are null and void, and the Lord Major for the time being is hereby required from time to time to give order, that this Ordinance be published at all elections, and that the same be strictly and punctuolly observed, as also by affording the liberty of Pole, it being required by any of the Electors present; And for the better execution of this present Ordinance be it further ordained, That the Lord Major of London, the Sheriffs, and Aldermen, and Justices of Peace within the said City of London, or any two of them shall, and are hereby authorized and required to commit to prison all such persons, as after due proof upon oath to be made unto them, or any two of them of any person that shall make any disturbance at any election, contrary to this Ordinance, and to leavy the said fine of two hundred pounds by distresse, and sale of the goods of the person so offending contrary to this Ordinancee.

Which *pretended Ordinances*, being made and published by *Confedracy* as aforesaid, whiles both *Houses* remained under the *unparalleld, force* of the *Officers and Army*, who have *levyed open war* against them, and *violently imprisoned, excluded* and driven away *most of the Members*, and *endeavour to dissolve* the *Parliament*, and tending wholly to alienate our affections from, and engage us against the *Parliament*, to deprive us of our undoubted *Hereditary Liberties, Freedoms*, Franchises and *Customes*, confirmed and setled upon us by so many *Royall Charters* and *Acts of Parliaments*, and enjoyed alwayes by our *Predecessors* under the wofull of *Kings and Tyrants*; to subvert the whole *Government, Magistracy and Freedom of the City*, and to put us into *present confusion and mutinies*, that they might thereupon take advantage to *enslave, plunder* and *destroy*

destroy us at their pleasures: We do therefore in this our great *extremity and perplexity*, which so nearly concernes the present *Government, weal, safety, and very life and being* both of *City, Parliament* and *Kingdom*, here seriously and unanimously *Protest* before the *Almighty all-seeing God, Angels* and *men*, That these two *pretended Ordinances*, being made by confederacy as aforesaid while both *Houses* lay under so great a *force*, and most *Members* were violently *excluded* and *forced thence*, (there being at the passing of them not above 3, or 4. *Lords*, and 45. *Commons* at most present, and they under the *forced guards* of the *Army*) are in themselves *meer nul, void and unobligatory to us and all others, to all intents and purposes*, and were and are *declared to be so, at the very time of their making*, by the *Ordinance of both Houses of the* 20 *of August* 1647 made by those *very Members who passed these two pretended Ordinances*. And that all *elections* of any *Officers* whatsoever within the said *City* and *Liberties*, wherein any of us have been *deprived of our Voyces and Freedom* by colour of either of these *two Ordinances* are meerly *nul and void* to all *intents*. And we further hereby in like maner *declare* and *protest*, that the fore mentioned clauses contained in these pretended *Ordinances* (though the Houses had been never so replcat and *free* when passed) which deprives us of the *undoubted liberty* and *freedom of our voices in electing our officers*; *disables any persons elected by us* to *bear any office* when *elected, and which doe declare the said elections void, imposing a forfeiture of two hundred pound upon such who shall in the least degree execute any trust or office to which we shall elect him, to be levyed by distresse and sale of his goods*; *and giving authority to the Lord Mayor, Aldermen, and Justices of Peace within the City, to imprison all such persons*, (who coming to give their voices, or claiming and maintaining their freedom and the Cities) *shall make any disturbance at any election contrary to those* pretended *Ordinances*; though never so *faithfull* to the *Parliament*, and active in their service heretofore: are likewise *void* and *null in themselves, and the highest and most tyranicall usurpations* over *our liberties, franchises, Persons, estates and freedom in our elections*, that the *heads* of our *professed enemies* could invent, and most contrary to all the *Houses former Professions, Remonstrances, Declarations, promises, and engagements, and to their*

solemn

solemn League and Covenant, to defend and protect our liberties, franchises, customs rights and freedoms, yea contrary to the *fundamentall* Lawes and *Statutes* of the land; the manyfold *Charters* and *Acts of Parliament* made from time to time, for the confirmation of our *Customs, Liberties*, and *Freedom in the Elections* of our *Officers*; and to the expresse Statute of 3 *Edw.* 1. *c.* 5. which enacts, *That all Elections ought to be free; and that no great man, nor other by force of Arms or menacing, shall disturb any to make free Election*; (much lesse by menacing *Ordinances*, Fines and Imprisonments;) which Sir *Edward Cook* in his Commentary thereon (printed by both *Houses* speciall Authority) affirms and proves *to be the Common Law of England, and the Subjects Birth-right*. And contrary to the Statutes of *Magna Charta c.* 29. 5. *Ed.* 3. *c.* 9. 25. *Ed.* 3. *c.* 4. 28. *Ed.* 3. *c.* 3. 37. *Ed.* 3. *c.* 18. 42. *E.* 3. *c.* 3. and the *Petition of Right*; for defence whereof we have in our seven last yeers *Wars*, expended so many *millions of Treasure*, and lost such *streams of gallant English blood*. And finally, we do hereby unanimously further declare and protest, That notwithstanding these pretended void *Ordinances*, or any other of this *nature*, made in derogation of our just *Franchises, Rights, Liberties, Customs* and ancient Government, we are resolved, according to our *oaths* as *Citizens* and *Freemen* of *London*, and according to our *solemn League and Covenant*, as *Christians and Freemen of England*, through Gods assistance, to the utmost of our *powers* and, *abilities*, with our *lives* and *estates* constantly and inviolably to maintain, defend, and preserve our just *Hereditary Freedom* and *right of electing* all our *City officers*, whatsoever, acording to our *ancient and uninterrupted Charters, Customs, Acts* and *Usages*, with all other our undoubted *Franchises, Liberties, Priviledges, Rights* and *Customs* left unto us by our *Ancestors*, (especially in these times of so much contesting for *common Liberty* and *Freedom*;) and will protect and defend the same against all *Invasion* and *Encroachment* of any *usurped, arbitrary* and *tyrannicall* (Parliamentary or other) *power* whatsoever. In witnesse whereof we have thought meet to publish this our Declaration and Protestation to all the world. *January* 1. 1648.

FINIS.